

MINUTES

UTAH Dentist/Dental Hygienists Licensing Board MEETING

February 16, 2007

**Room 474 - 4th Floor – 8:15 a.m. – 4:00 p.m.
Heber Wells Building
Salt Lake City, Utah 84111**

CONVENED: 8:27 a.m.

ADJOURNED: 11:11 a.m.

Bureau Manager
Board Secretary

Daniel T. Jones
Lee Avery

Board Members Present:

Brian Lundberg, DDS, Chairperson
Anna Policelli RDH,
Joseph Mirci, DDS
Brent Larson, DDS
James, Ence, DDS
Karen Bateman, RDH
Pamela Jolley
Stephen Morgan, DDS

Board Members Excused:

Alexander Larsen, DDS

Guests:

Joleen VanBibber, RDH
Richard Engar, DDS
Monte Thompson
Melinda Tate

DOPL Staff Present:

Shirlene Kimball, Board Secretary

TOPIC OF DISCUSSION

DECISIONS & RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes for January 19, 2007 were reviewed.
Dr. Mirci motioned to accept the minutes with
changes, seconded by Dr. Ence. The motion carried
unanimously.

Appointments:

Dr. John Myers – New Probation
Interview

Dr. Myers presented himself to the Board. Ms. Jolley conducted the interview. Dr. Myers advised the Board he has reviewed his Memorandum of Understanding (MOU) and has no questions. The Board noted Dr. Myers MOU is for five (5) years. Dr. Myers stated he has been attending two (2) Alcoholics Anonymous meetings and does random urine analysis (UA). Dr. Myers advised the Board he has been trying to obtain reinstatement of his license since November 2004. He has passed the Western Regional Board (WREB) and has completed about one hundred thirty (130) hours in observation. Dr. Myers stated he has completed about seventy (70) hours of continuing education (CE). With Board approval his supervising dentists are Dr. Goodman and Dr. Kyser. Dr. Goodman and Dr. Kyser have submitted letter stating they are willing to be his supervising dentists. Dr. Myers stated he needs to get his supervising dentists approved before he can start working and would like to go to Donated Dental one half ½ day a month. The Board noted Dr. Myers issues were not standards of care. He has just been out of the dental practice. The Board asked Dr. Myers to bring with him a practice plan, his supervising dentist and the date he started working to the Board meeting in May 2007.

Dr. Brent Sonnenberg – Probation

Dr. Sonnenberg presented himself to the Board. Dr. Ence conducted the interview. Dr. Sonnenberg submitted copies of his continuing education (CE) to the Board. The Board noted Dr. Sonnenberg's drug screens have been negative. Dr. Sonnenberg advised the Board he has been in his new office approximately five (5) months and things are starting to smooth out now. He practices three (3) days a week and hopes to go to four (4). Dr. Sonnenberg stated his back pain is not a problem. He is not taking any pain medications. Dr. Sonnenberg stated

his friends and family have been very supportive. He has been physically meeting with his supervising dentist daily and his charts are being reviewed. Dr. Sonnenberg stated he attends support meetings every Wednesday night at Recovery Bridge, where he completed his intensive care and also attends a twelve (12) step program the same night. Dr. Sonnenberg advised the Board he also attends Professionals in Recovery on Monday's. The Board asked to see Dr. Sonnenberg in May 2007.

In Compliance.

Dr. Paul Benson – Probation Interview

Dr. Paul Benson presented himself to the Board. Dr. Mirci conducted the interview. Dr. Benson advised the Board he received his Stipulation and has reviewed it and he has no questions. Dr. Benson stated Ms. Kerry Jewkes is the office manager and supervises others in the office making sure Dr. Benson is not alone with any patient. Her desk is located in the hall where she can see everything. Occasionally she goes into the room and talks with the patients. Dr. Benson advised the Board Ms. Jewkes is the only person in his office who is aware of the reasons his license was placed on probation. Dr. Benson advised the Board he is having a hard time finding an ethics course. The Board referred him to Dr. Engar for more information regarding a class coming to Reno, Nevada. Dr. Benson advised the Board he has been attending a therapy group called Life Star by Dan Gray. He meets once a week with the group and once a month with Dan Gray. The Board noted it is still waiting for the evaluation from Dr. Brunson. Dr. Benson advised the Board his practice is doing ok, however, he has been dropped from several insurance policies because his license was placed on probation. The Board advised Dr. Benson this has been one of the negative consequences with all of the probationers. The Board asked Dr. Benson to submit a written protocol regarding office policy regarding office relationships and staff meetings. The Board briefly discussed Dr. Benson's physician license also being placed on

probation with the Physician Licensing Board. The Board expressed concern regarding Dr. Benson's staff not being made aware of his license being on probation and encouraged Dr. Benson to talk with his staff regarding this. The Board asked to see Dr. Benson in April if the report from Dr. Brunson has been received. The Board wants to see Dr. Benson in May if the report has not been received. **In Compliance**

Dr. Sage White – Probation Interview

Dr. White presented himself to the Board. Dr. Brent Larson conducted the interview. Dr. White gave the Board documentation of referral letters for review. Dr. White stated he was unable to contact Mr. Scheiff for the follow-up the Board requested. The Board encouraged Dr. White to continue trying to contact Mr. Scheiff. Dr. White advised the Board he followed its direction and encouraged patients to go back to their original dentist to resolve the complaints or concerns the patient expressed regarding the treatment they received. Dr. Benson brought in documentation of referrals for the Board's review. The Board asked to see a list of all patients to include those with second (2nd) molar extractions. The Board wants to review all of these files. Dr. White advised the Board he will be giving lectures on Ortho. and TMJ this summer through Dr. Stedder in Fresno California and just completed a lecture on sleep disorders. Dr. White stated when he works on a patient with sleep apnea he also works with the patient's physician. They use a device, no surgery and if the case is too severe, he will not treat them. Dr. White stated he closed his sleep disorder center months ago and no longer does the second (2nd) molar extractions. Dr. White stated he has at least ten (10) new Ortho cases a month. Dr. White advised the Board when he first started meeting with it, he thought there was about eighty (80) patients with the second (2nd) molar extractions after reviewing them, there were only about thirty (30). The Board expressed its concern regarding the controversy behind second (2nd) molar extractions

and the problems misuse of this treatment could cause Dr. White if he continues advocate this treatment. The Board advised Dr. White it wants to see a list of all of his patients with the second molar treatment, including start and finish treatment dates, charts, from earlier dates as well as the more current dates. The Board especially wants to see the results after three (3) or four (4) years, to include beginning x-rays, mid treatment x-rays and ending x-rays, patients age and treatment dates. Mr. Jones stated he will send the list with the Board meeting notification packet. The Board asked to see Dr. White in May 2007. **In Compliance**

Mr. David Castleton - Probation Interview

Mr. Castleton presented himself to the Board. Ms. Bateman conducted the interview. Mr. Castleton advised the Board he has been working for Dr. Ogilvie in Heber. Mr. Castleton gave the Board a report from Dr. Ogilvie and the evaluation report from results from Assess Counseling completed last September. Mr. Castleton stated he has been temping for Dr. Ogilvie since last March. Mr. Castleton stated he missed his appointment with the Board because he was staying with his parents and did not receive the letter until the day after the meeting. Mr. Castleton stated his court probation is completed. The Board was unable to locate the letter releasing him from court probation in his file. Mr. Castleton stated he will submit another one. Mr. Castleton advised the Board he has attended several continuing education courses. The Board expressed concern regarding the time frame Mr. Castleton has not worked in the field and asked him to submit an employment timeline showing the specific dates and time he worked in construction and in dental hygiene since his probation started, and his W2's. Mr. Castleton stated he understands the stipulation and has no questions. The Board asked to see Mr. Castleton in June 2007. **In Compliance.**

Business from Previous Meeting:

Supervising Dentist – Mr. Daniel T. Jones

Mr. Jones advised the Board he will have the Supervising Dentist outline ready for Board review and approval.

Discussion Items:

Widows being able to maintain ownership in dental practice, Mr. Mitchell Jones, Attorney General Office

Mr. Mitchell Jones gave the Board copies of statutes for the Boards review, 58-69-805, Disclosure of financial interest by licensee and 58-69-502, Unprofessional Conduct. Mr. Mitchell Jones advised the Board he has been asked for clarification regarding this section and he is looking to the Board for direction. After discussing this in detail, the Board stated it felt this section is to prohibit an unlicensed person or corporation from dictating a specific treatment plan for patients and might not affect a person receiving compensation for being a stockholder in the practice.

The Board took no action.

Review Application

Ms. Bateman reviewed and approved the application for Ms. Holli Stancil, RDH.

Correspondence

Mississippi State Board of Dental
Examiners letter

Mr. Jones advised the Board Mississippi Dental State Board is now accepting the Western Regional Examining Board (WREB).

No Board action taken.

Discussion:

The Board briefly talked about the proposed rule change regarding conscious sedation. Mr. Jones stated the dental schools have changed the way they are teaching conscious sedation, they have increased their hours and the State does not want to add to the

rules unless it is needed. Mr. Jones stated the Division continues to watch the industry and conscious sedation and will make the changes if needed.

No Board action taken.

Review Probation Files, open comment –
Daniel T. Jones

Mr. Jones reviewed the following information regarding probationers with the Board.

Dr. Dean Owens was arrested in Indiana and extradited back to Utah for insurance fraud. He surrendered his license and is still going through the criminal courts.

Dr John Poulter is not practicing in dentistry at this time. He continues to work with drug rehabilitation, it is unknown if he wants to get back into dentistry.

Dr. Rod Slater is in the process of getting his stipulation. He will meet with the Board in April.

Dr. Kathleen McCombs is in Oregon. They may take over her probation. Dr. McCombs was asked to speak at the Perio. Convention in Oregon. She has not been practice.

Dr. Paul Fifield has not been convicted of the criminal charges yet. He has not practice for about a month.

The Board talked about the Board meeting in March, noting most members of the Board will be out of state during this time attending the Western Regional Examining Board (WREB) in March. Mr. Jones stated the March meeting will be cancelled, no quorum.

Motion to adjourn by Dr. Morgan,
Close 11:11

Board meetings for 2007 have been scheduled:
June 15, Oct 19
July 20 Nov 16
Aug 17, Dec 21
Sept 21,

Next Board Meeting:

The next Board meeting is scheduled for May 18,
2007, March 16, 2007 has been cancelled

Date Approved

Chairperson, Dentist Dental Hygienist Licensing
Board

Date Approved

Bureau Manager, Div. of Occupational &
Professional Licensing